



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/701,078 Confirmation No. : 6297
First Named Inventor : Volker KAMM
Filed : November 5, 2003
TC/A.U. : 1746
Examiner : Saeed T. CHAUDHRY

Docket No. : 038724.52864US
Customer No. : 23911

Title : DEVICE FOR CLEANING INSTALLATIONS AND RELATED METHODS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This Response is filed in reply to the Restriction Requirement mailed by the Patent and Trademark Office on December 17, 2004. The Restriction Requirement indicates that claims 1-29 are separated into two groups (Group I and Group II). In response to that requirement, the Group I is provisionally elected, with traverse.

The separation of Group I and Group II is respectfully traversed. Group I and Group II should be allowed to proceed together because if the Examiner allows the device claims of Group I, the claims of Group II, which detail the processes of using the device of Group I, would also necessarily be patentable. If a new device is found to be patentable, the method of using that device is necessarily patentable as well. Furthermore, MPEP § 821.04 states, "if applicant elects claims directed to the product, and a product claim is subsequently found allowable, withdrawn process claims which depend from or otherwise include all the limitations of the allowable product claim will be rejoined." (MPEP, Eighth Edition, Revision 2, May 2004). Thus, if the Examiner allows the claims of Group I, the claims of

Group II could be rejoined under MPEP § 821.04. Therefore, the applicant recommends that Group I and Group II be considered together to avoid unnecessary withdrawal and rejoinder.

Further, Groups I and II are so related that the search and examination of the claims in both groups would be coextensive. Accordingly, the search and examination can be performed without serious burden on the Examiner. In view of the foregoing, reconsideration and withdrawal of the restriction requirement are respectfully requested.

CONCLUSION

In view of the foregoing, the application is respectfully submitted to be in condition for allowance, and prompt favorable action thereon is earnestly solicited. If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #038724.52864US).

Respectfully submitted,

January 18, 2005


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